

# Smart Growth Audit: Moultonborough, NH

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Prepared by the Lakes Region Planning Commission in consultation with the Moultonborough Master Plan Committee and Planning Board. Support for the project was provided by NH Department of Environmental Services, Regional Environmental Planning Program.

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## I. The Need for Smart Growth

Since 1999, New Hampshire has grown at a rate of more than 16,000 people each year<sup>1</sup>. Economically, this growth is often perceived as good for New Hampshire; it brings new jobs, new people, and new ideas. At the same time, however, it also brings new challenges.

Unmanaged, this growth can become sprawl, which threatens to destroy the very qualities that make New Hampshire a great place to live. The term 'smart growth' is sometimes substituted for policies and techniques that prevent or counteract sprawl.

"Sprawl is a pattern of development that results when:

- we use more and more land for various human activities;
- the places where we conduct activities are farther apart, and tend to be in homogeneous rather than mixed-use groupings; and
- we rely on automobiles to connect us to those places.

Development or change in land use contributes to sprawl when:

- it increases the need or demand for motor vehicle trip miles per housing unit in the community;
- it increases the per-person or per-unit amount of land space devoted to cars; and
- it otherwise increases the per-person or per-unit consumption or fractionalization of land areas that would otherwise be open space."<sup>2</sup>

"Sprawling growth moves away from our town centers, leaving downtowns struggling. It spreads residential development across the rural landscape on large lots, eliminating the farms and woodlots of the working landscape - the pieces that are the very essence of rural character. The resulting pattern of development leaves islands of single uses widely spread apart from each other. In many areas the automobile becomes the only logical way of reaching these far-flung districts. Instead of the traditional mixed use patterns of development, where at least some residential development was directly accessible to downtowns that provided a variety of commercial, industrial, and institutional activities, we have residential subdivisions and office parks far outside of downtown. Instead of small-scale retail centers, we have stores and retail complexes hundreds of thousands of square feet in size, surrounded by acres of parking. In doing so, we are losing any traditional, distinctive New Hampshire character."<sup>3</sup>

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<sup>1</sup> NH Office of Energy and Planning webpage, <http://nh.gov/oepp/programs/DataCenter/Population/PopulationEstimates.htm> (visited 6/15/06).

<sup>2</sup> NH Office of State Planning, *Annual Report to the General Court and the Governor on Growth Management*, December 2001 p.2.

<sup>3</sup> NH Office of State Planning, *Report to Governor Shaheen on Sprawl*, December 1999. p. 1.

Sprawl in its simplest terms is growth of land use that exceeds growth of population. Sprawl is expensive because it increases the cost of municipal services and thus taxes; it destroys the traditional land uses of forestry and agriculture; it makes us more dependent on the automobile, thus increasing traffic, congestion and air pollution; it increases water pollution through increased pavement; it reduces wildlife habitat; and it destroys the small town, rural character that is so important to many of New Hampshire's communities.

Sprawl occurs not because of the ill will of developers or the ineffectiveness of government. Developers respond to market forces within the rules established by state and municipal governments. At times, however, the rules are not coherent, consistent or logically linked to the goals they are intended to realize. Sometimes rules designed for one desirable purpose have unintended, undesirable consequences. For example:

- Two acre zoning intended to preserve a rural setting results in the fragmentation of wildlife habitat;
- Land use regulations regulating odors intended to protect health in a residential area results in limits on farming that hastens the loss of large tracts of working open space.

The central focus of a Smart Growth Audit is to provide a useful link between the Principles of Smart Growth and their application in municipal land use practice.

This report is a first step for providing that link for the town of Moultonborough. For Smart Growth to be effective implementation is required and it has to be dynamic with updates occurring at least every 10 years along with the Master Plan.

## II. What is Smart Growth?

Change is occurring in New Hampshire - more people, more traffic, changing jobs, higher taxes, and various stresses on the environment. Given these pressures, it is understandable that taxpayers and communities often respond with a loud “STOP!” Growth management, tax caps, and budget cuts are all natural responses to situations that appear overwhelming.

Smart Growth says, “First, decide on your vision. Then explore the possible ways to achieve it.” In practical terms, Smart Growth consists of evaluating and shaping all new development and re-development initiatives according to the following eight principles:

1. Maintain traditional **compact settlement** patterns to efficiently use land, resources and infrastructure investments;
2. Foster the traditional character of New Hampshire downtowns, villages, and neighborhoods by encouraging a **human scale** of development that is comfortable for pedestrians and conducive to community life;
3. Incorporate a **mix of uses** to provide a variety of housing, employment, shopping, services and social opportunities for all members of the community;
4. Provide **choices and safety in transportation** to create livable, walkable communities that increase accessibility for people of all ages, whether on foot, bicycle, or in motor vehicles;
5. Preserve New Hampshire’s **working landscape** by sustaining farm and forest land and other rural resource lands to maintain contiguous tracts of open land and to minimize land use conflicts;
6. Protect **environmental quality** by minimizing impacts from human activities and planning for and maintaining natural areas that contribute to the health and quality of life of communities and people in New Hampshire;
7. **Involve the community** in planning and implementation to ensure that development retains and enhances the sense of place, traditions, goals, and values of the local community; and
8. Manage growth locally in the New Hampshire tradition, but **work with neighboring towns** to achieve common goals and address common problems more effectively.

Text in Sections I and II is adapted from *GrowSmart NH Tool-Kit Project*, 2002, NH Office of Energy and Planning and Planning Decisions, Inc..

[http://nh.gov/oep/programs/SmartGrowth/docs/chester\\_report.pdf](http://nh.gov/oep/programs/SmartGrowth/docs/chester_report.pdf) pp. 3,4.

### **III. What is a Smart Growth Audit?**

A Smart Growth Audit is an assessment of where the community stands regarding the Smart Growth Principles. To accomplish this several steps must be taken:

- Recent changes in the municipality's population and development are compiled along with projections for these trends.
- The community reviews the eight NH Smart Growth Principles and identifies which of these they support,
- The most recent Master Plan goals and objectives are reviewed for statements that support Principles,
- The current ordinances and regulations are reviewed for consistency with the Smart Growth Principles.
- Suggestions are made regarding what steps the community might take to better implement the identified Smart Growth Principles.

This audit is based upon the most current documents available; Master Plan, 1991; Zoning Ordinances, 2006; Subdivision Regulations, 1999; Site Plan Review Regulations, 1997.

Because these documents span a time period of 15 years it is important to recognize that some of the goals and objectives from the Master Plan may have been. As the committee updates the Moultonborough Master Plan, this Audit can be a useful tool for identifying and reviewing these goals, objectives, and statements.

#### **IV. Smart Growth in Moultonborough**

##### **A. Population and Development Trends**

In the 1980s, the population of New Hampshire increased by 20%; then slowed to an 11% increase in the 1990s. The Lakes Region population grew at 17.6% in the 1980s and 15.8% in the 1990s. During this same timeframe, Moultonborough grew at a much faster pace, 34.0% in the 1980s and 51.7% in the 1990s.<sup>4</sup> According to the NH Office of Energy and Planning (NH OEP) estimate, Moultonborough's 2005 population was 4,960. NH OEP projects that the state population will grow at a rate of approximately 10% each decade through 2025, while Moultonborough's population is projected to increase by approximately 20% each of the next two decades, resulting in an additional 1,990 residents in Moultonborough.<sup>5</sup>

NH OEP demographic projections are only available at the state and county levels.<sup>6</sup> Statewide the percent of the population over 64 years of age is projected to double by 2025, while the actual number of people under 25 is predicted to decrease. A similar pattern is anticipated for Carroll County with a decrease in the number of people under 25 while the percentage of Carroll County residents over 64 is projected to increase from 18.5% to 41.0%.

In 2000, Moultonborough had the second highest median home value in the region. At the same time, Moultonborough had 4,523 housing units, an increase of 17.5% from 1990. More than half (55.7%) of these units were seasonal, compared to the Lakes Region average of 29.8%. Although duplexes, multi-family, and manufactured housing exist in Moultonborough, single family housing represents 95% of the housing stock<sup>7</sup>. Between 2000 and 2004 Moultonborough granted an average of 91 residential permits a year. In 2004 the town issued 11 commercial permits and 89 permits for single family homes, which was the third highest number of residential permits in the Lakes Region.<sup>8</sup>

##### **B. Moultonborough's Smart Growth Principles**

The Moultonborough Master Plan Committee reviewed the eight Principles of Smart Growth outlined by the NH OEP that apply to New Hampshire communities. The Committee agreed to support all of the Principles, recognizing that a few of the Principles are more limited in their application to Moultonborough than others. For example, when discussing Principle #5 "Preserve New Hampshire's working landscape..." it was pointed out that there is a very small number of working farms in the town. The support for all eight Principles was echoed by the Moultonborough Planning Board.

<sup>4</sup> *Lakes Region Demographic Profile*, Lakes Region Planning Commission, 2003.

<sup>5</sup> <http://nh.gov/oep/programs/DataCenter/Population/documents/pub05.xls>

<sup>6</sup> <http://nh.gov/oep/programs/DataCenter/Population/documents/populationforcountiesbyageandsex.xls>

<sup>7</sup> *Lakes Region Demographic Profile*, Lakes Region Planning Commission, 2003.

<sup>8</sup> *Development Activities in the Lakes Region: 2006 Annual Report*, Lakes Region Planning Commission.

### C. Smart Growth and Moultonborough's Master Plan

In this section, each Principle is restated followed by a summary of existing goals and objectives. This is followed by a more detailed statement of the goals and objectives as well as applicable ordinances and regulations with supporting references in local planning documents. References are identified as follows (MP – Master Plan, ZO – Zoning Ordinance, SD – Subdivision, SP - Site Plan). The Analysis section looks at how closely the guiding documents of the municipality are aligned with each Principle. Where needed it addresses some of the impediments to implementing Smart Growth and makes some suggestions for addressing this.

Efforts were made to link a particular goal, objective, ordinance, or regulation with one particular Principle; however, in a few cases repetition was necessary. Due to the interrelated nature of these principles, there are some statements that play an important role in shaping the town's ability to implement multiple Principles. Some foster the Principle, a few run contrary to the Principle.



## **Smart Growth Principle 1:**

### ***Maintain traditional compact settlement patterns***

*Maintain traditional compact settlement patterns to efficiently use land, resources and infrastructure investments.*

#### **Summary:**

The Moultonborough Master Plan recognizes that growth will continue and calls for planning so that the town's rural character, natural and cultural resources, and tax rate will not be adversely impacted. The growth referenced in the plan refers not only to residential but also commercial and industrial growth.

#### **Goals and Objectives:**

- Plan for reasonable residential and nonresidential growth, so that the increased demand on services does not necessitate a significant increase in the tax rate and does not alter the town's rural character or its cultural and natural assets (MP VII.C1. Population).
- Encourage the development of uses, such as high density affordable residential development and commercial activities in those areas serviced by the existing (sewer) system (MP VII.C4. Community Facilities: Bay District Sewer System).
- Provide a growth scenario for the Town which will accommodate future residential growth and permit additional commercial and industrial development to occur that is harmonious with the landscape. This plan must reflect the Town's desire to retain its rural ambiance and provide adequate protection to its numerous significant natural resources (MP VII.C6. Land Use).

#### **Ordinances and Regulations:**

- In no case, shall any lot contain less than 40,000 square feet of usable land area (ZO.7.1.C Design Standards for all Subdivisions: Minimum Lot Size).
- The following requirements and standards shall apply to all commercial uses throughout the Town. (1) Frontage. All new commercial lots shall have a minimum of 150 feet of frontage (ZO. VI.F Commercial Uses: Requirements for Commercial Uses).
- Clustering of housing units may be permitted and is encouraged for the preservation of open space, to promote more efficient use of land, and to provide flexibility in subdivision design (SD 7.1.E.1 Design Standards for all Subdivisions).
- The coverage of each lot used for commercial purposes including buildings, parking areas, drives, and any impervious surfaces shall not exceed 50% of the parcel. (SP.11.C.4. Design Standards and Required Improvements: Landscaping).

#### **Analysis:**

Moultonborough's zoning ordinance calls for a minimum lot size of 40,000 sq. ft. in all areas of town. Commercial lots have a maximum allowable coverage of 50%. Strict adherence to these limits will restrict the town's ability to encourage higher density development in some areas. The town does allow residential clustering and may wish to explore implementing

Conservation Subdivision as a tool for using resources even more efficiently. Expansion of the sewer line and relaxation of the minimum lot size in areas served by sewer is one option that the town may wish to consider to accommodate population growth. Limits on commercial lot coverage and the 150' frontage minimum may also encourage sprawling growth.

## **Smart Growth Principle 2:**

### ***Foster a human scale of development***

*Foster the traditional character of New Hampshire downtowns, villages, and neighborhoods by encouraging a human scale of development that is comfortable for pedestrians and conducive to community life.*

#### **Summary:**

The Master Plan expresses a desire to encourage Multi-Family housing, utilize existing facilities, serve all residents and provide accessibility to recreation, and to develop safe transportation networks.

#### **Goals and Objectives:**

- Establish provisions for Multi-Family housing in the zoning ordinance (MP VII.C2. Housing)
- Encourage a cost effective transportation network which will meet the mobility needs of local residents and will provide for the safe, efficient movement of goods and services and people within and through Moultonborough (MP.VII.C3. Transportation).
- All expansions of services and facilities should be conducted in a coordinated and cost efficient manner (MP.VII.C4. Community Facilities).
- Require development along the Route 25 corridor and its collector roads to have greater setbacks or be located off side roads with shared access points (MP.VII.C6. Land Use).
- Minimum width of roadway: Collector - 22 ft., Local - 18 ft. (SD 7.2.D. Road Design and Construction: Design Standards).

#### **Ordinances and Regulations:**

- Because Route 25 is a highly visible tourist route it is important that all proposed uses have attractive landscaping and signs, and other aesthetic qualities. The height and locations of structures should ensure that the scenic views in the area are protected. Driveways and other points of access should be located in the safest possible location (ZO VI (2) Commercial Uses: General).
- The purpose of cluster development is to preserve the natural beauty of existing undeveloped land and to encourage less intensive residential development, to allow diversity of housing opportunities with open space areas and increased pedestrian and vehicle safety, and to allow efficient use of land, streets, and utility systems (ZO VII.A(2) Miscellaneous: Multi-Family And Cluster Development).
- Due regard shall be shown for all natural features such as large trees, water courses, scenic points and similar community assets (SD 7.2.C. Road Design and Construction: Natural Features).

#### **Analysis:**

This Principle is focused on the scale of development; are there neighborhoods, can pedestrians get around town? In Moultonborough there are neighborhoods, however, to

access services a vehicle is needed. In an effort to limit sprawl, the Land Use chapter of the Master Plan suggests that development occur on side roads and that there be greater commercial setbacks along the NH Route 25 corridor. The development of side roads is a good strategy; however the shallower commercial lots can actually encourage more of a village atmosphere. To encourage walkable neighborhoods, the town should consider allowing for flexibility in road width; in some areas an 18' width may not be necessary.

### **Smart Growth Principle 3:**

#### ***Incorporate a mix of uses***

*Incorporate a mix of uses to provide a variety of housing, employment, shopping, services and social opportunities for all members of the community.*

#### **Summary:**

Both the Housing and the Community Facilities and Recreation chapters of the Moultonborough Master Plan contain statements regarding the desire to develop a more diverse housing stock and ensure that facilities and services are available to all in the community. There are several objectives that address affordable housing, accessory apartments, and multi-family housing.

#### **Goals and Objectives:**

- Provide a more diverse housing stock, one that would permit individuals of all income levels the opportunity to live in the community (MP VII.C2. Housing).
- Support local affordable housing initiatives (MP VII.C2. Housing).
- Create a local housing task force to analyze the community's housing needs in greater detail (MP VII.C2. Housing).
- Encourage accessory (in-law) apartments (MP VII.C2. Housing).
- Develop more explicit standards guiding the conversion of older single family homes into duplexes (MP VII.C2. Housing).
- Provide an adequate level of community facilities and services to meet the existing and future needs of Moultonborough residents (MP VII.C4. Community Facilities).
- Moultonborough should assure that all areas of town are served by parks and other passive and active recreational facilities (MP VII.C4. Community Facilities: Recreational Facilities).

#### **Ordinances and Regulations:**

- Single family residential, two-family residential and agricultural uses are allowed throughout the Town of Moultonborough. Accessory uses which are incidental to and subordinate to the principal use of the property are allowed (ZO III. General Provisions).
- Home occupations which are accessory to and incidental to the principal use of a residence are permitted (ZO VIIA (4) Miscellaneous: Home Occupations).
- Commercial use is permitted within the Residential/Agricultural Zone if the owner of the property obtains a Special Exception from the Zoning Board of Adjustment and Site Plan Approval from the Planning Board (ZO VI.A. Commercial Uses: General Provisions).
- Square footage is set forth as the minimum per dwelling unit required, and no less than 40,000 square feet shall be permitted for each lot, whether or not the lot contains a septic system (ZO III.A. General Provisions: Minimum Lot Size).
- The following requirements and standards shall apply to all commercial uses throughout the Town: (1) Frontage. All new commercial lots shall have a

minimum of 150 feet of frontage (ZO VI.F Commercial Uses: Requirements for Commercial Uses)

**Analysis:**

In the Commercial Zones mixed uses are permitted, residential may be mixed in with commercial activity. Commercial may also be allowed in the Residential/Agricultural Zone by Special Exception. These do encourage a mix of uses. Frontage requirements for commercial lots may pose an obstacle for implementing mixed use. The Moultonborough Master Plan indicates that the town should ensure that a diversity of housing is available for residents of all income levels. It is not clear from the ordinances and regulations that this housing policy is being encouraged, especially with the 40,000 s.f. residential lot requirement.

## **Smart Growth Principle 4:**

### ***P*reserve New Hampshire's working landscape**

*Preserve New Hampshire's working landscape by sustaining farm and forest land and other rural resource lands to maintain contiguous tracts of open land and to minimize land use conflicts.*

#### **Summary:**

The Planning Board supported this Principle in spirit but felt that it had limited application in Moultonborough. None of the Master Plan goals address the 'farm and forest land' portions of this Principle; however there are several objectives that address 'contiguous tracts of open land'.

#### **Goals and Objectives:**

- The town should ... encourage the creative use of the cluster option and donations of easements to ... protect open space areas within the community (MP VII.C5. Conservation and Preservation).
- Maintain scenic vistas (MP VII.C5. Conservation and Preservation).
- The town should establish a local land trust or formulate an LCIP Committee, or investigate and enlist the support of state or regional land preservation agencies, to accept and maintain land dedications (MP VII.C5. Conservation and Preservation).

#### **Ordinances and Regulations:**

- None appear to be applicable.

#### **Analysis:**

The local land trust has conserved several large tracts of contiguous, mostly forested land. As Moultonborough develops its Master Plan, the town needs to consider whether maintaining farm and forest land is something that the community wishes to support through local ordinances and regulations. There are some innovative land use ordinances that the town might adopt which other communities have found useful in reducing conflicts between working farms and neighboring subdivision homeowners.

## **Smart Growth Principle 5:**

### ***Provide choices and safety in transportation***

*Provide choices and safety in transportation to create livable, walkable communities that increase accessibility for people of all ages, whether on foot, bicycle, or in motor vehicles.*

#### **Summary:**

NH Route 25 is a major east-west corridor in the northern portion of the Lakes Region that carries an average of 12,000 vehicles per day. Both of Moultonborough's commercial zones, including most of the town's municipal facilities are in the NH Route 25 corridor. The Master Plan discusses the "safe, efficient movement of goods, and services, and people within and through Moultonborough". To achieve this, it recommends deeper commercial lots and limitations to development along congested roads such as NH Route 25. Development of a hiking network throughout the community is a recommendation of the plan that is compatible with this Principle.

#### **Goals and Objectives:**

- The town should encourage the proper siting of multi-family units to take advantage of existing facilities and services (MP VII.C2. Housing).
- Encourage a cost effective transportation network which will meet the mobility needs of local residents and will provide for the safe, efficient movement of goods and services and people within and through Moultonborough (MP VII.C3. Transportation).
- Support all regional transportation planning efforts and regional transportation systems, to develop more effective networks and facilitate greater mobility throughout the region (MP VII.C3. Transportation).
- Prepare and maintain a Transportation Improvement Plan (TIP) and incorporate this program into the existing Capital Improvements Program (CIP) (MP VII.C3. Transportation).
- Monitor and carefully regulate proposed development activity along the Route 25 corridor to minimize traffic impacts resulting from future growth (MP VII.C3. Transportation).
- The town should establish a hiking network throughout the community (MP VII.C4. Community Facilities: Recreational Facilities).
- Encourage the development of deeper commercial lots along Route 25 (MP VII.C6. Land Use).

#### **Ordinances and Regulations:**

- The capacity of the existing roads and highways to carry related traffic shall be adequate....Additional conditions may include... (3) Control of location and number of vehicular access points to the property (ZO VI.E (7) Commercial Uses: Special Exceptions).
- The primary factor governing commercial lot frontage requirements is safety. There is some flexibility so long as it satisfies the Zoning Board of Adjustment (ZO VI.F Commercial Uses: Requirements for Commercial Uses).



- Due regard shall be shown for all natural features such as large trees, water courses, scenic points and similar community assets (SD 7.2.C. Road Design and Construction: Natural Features).
- Internal networks for large subdivisions are required (SD 7.3.F. Protection of Public Thoroughfares from an Excessive Number of Access Points).

**Analysis:**

Walkability is a challenge for Moultonborough. The goals and objectives identified above are worthwhile and should be pursued. Efforts to address vehicular access and encourage nodal commercial development should be encouraged as this can result in safer, less sprawling development. The current development of the NH Route 25 Corridor Study should be watched closely by the committee as this study will look at the current carrying capacity and access points along this important east-west corridor. Keeping a close eye on development activity along the NH Route 25 corridor is important; the existing regulation covering this is listed under “Commercial Uses: Special Exceptions”; the town should consider requiring that this criteria apply to all development.

## **Smart Growth Principle 6:**

### ***Protect environmental quality***

*Protect environmental quality by minimizing impacts from human activities and planning for and maintaining natural areas that contribute to the health and quality of life of communities and people in New Hampshire.*

#### **Summary:**

Environmental quality is an important focus of the Moultonborough Master Plan. It addresses maintaining rural character, protecting natural resources through innovative Land Use Controls, setting standards for high density development, waste disposal, identification and protection of significant resources, and supporting increased recreational opportunities. Also discussed are the development of a network of hiking trails in town, clustering and open space protection, protection of waterfront land, and the need for implementation and enforcement.

#### **Goals and Objectives:**

- Plan for reasonable growth that does not alter the town's rural character or its cultural and natural assets (MP VII.C1. Population).
- Encourage future residential development only in those areas of the community where the natural characteristics, particularly soils, will support housing (MP VII.C2. Housing).
- Future locations of residential development should be closely monitored and regulated to protect existing natural resources from significant impacts associated with development (MP VII.C2. Housing, C6. Land Use).
- Moultonborough should assure that all areas of town are served by parks and other passive and active recreational facilities. The town should explore the feasibility of providing facilities throughout the community, possibly requesting developers to contribute their fair share where facilities are lacking (MP VII.C4. Community Facilities: Recreational Facilities).
- Encourage the development of uses, such as high density affordable residential development and commercial activities in those areas serviced by the existing system (MP VII.C4. Community Facilities: Community Facilities: Bay District Sewer System).
- It should be town policy to promote environmentally sound and cost efficient solid waste disposal programs (MP VII.C4. Community Facilities).
- The town should protect those areas indicated as supporting unique, rare and/or exemplary species and habitats (MP VII.C5. Conservation and Preservation).
- Plan for the protection of significant resources that offers present and future generations the opportunity to enjoy the natural heritage unique to Moultonborough (MP.C5. Conservation and Preservation).
- Adopt and implement Innovative Land Use Controls. Environmental characteristics zoning should be used to protect critical natural resources, such as wetlands, floodplains, aquifers and steep slopes; other controls such as transfer of development rights and performance standards should be used to ameliorate the existing zoning ordinance (MP VII.C5. Conservation and Preservation).

- It should be town policy to protect all shorefront areas from inappropriate development (MP.VII.C5. Conservation and Preservation).
- The town should prepare a series of overlay maps which would be used to evaluate proposed development activity and its impact upon significant resources (MP.VII.C5. Conservation and Preservation).
- Requests of developers should be made to prepare environmental impact studies in areas where environmentally sensitive features are present (MP.VII.C5. Conservation and Preservation).
- Moultonborough should establish a better record keeping system to monitor the conversion of seasonal to year round homes. This is significant to the maintenance of water quality in many of the bays and coves of the community (MP.VII.C6. Land Use).
- Develop more detailed buffer requirements for commercial and industrial development, encourage the maintenance of existing natural vegetation, where possible (MP.VII.C6. Land Use).

#### **Ordinances and Regulations:**

- Septic systems not permitted on slopes of 25%...cannot be included in minimum lot size determination (ZO III.A. General Provisions: Minimum Lot Size).
- Moultonborough requires minimum water frontages and lot sizes, which can protect water quality (ZO III.K. General Provisions, IVB. Waterfront Property, SD.8.1. Special Conditions: Subdivisions with Water Access).
- Limits on coverage of lots by impervious surfaces can reduce the impact on water quality (ZO VI.F Commercial Uses: Requirements for Commercial Uses: (3) Lot Coverage).
- Limits on the removal of Trees, Shrubs and Vegetation (ZO IVG. Waterfront Property).
- Floodplain Ordinance (ZO. VIII).
- Wellhead protection areas for multi-user well systems (SD 8.3.E. Special Conditions: Conversions to Condominiums or Time Sharing Units: Water Quality, 8.4.A. Special Conditions: Protective Well Radius for Community Water Systems).
- It shall be the responsibility of the developer..., to provide an accurately documented environmental and economic impact statement. Such statement may require documentation on drainage, erosion, forest productivity, ground and surface water quality, traffic safety, public services and any other factors that could impact the short and long term well being of the public in Moultonborough (SD.6.5. General Requirements for the Subdivision of Land: Documentation of Impacts).
- Due regard shall be shown for all natural features such as large trees, water courses, scenic points and similar community assets (SD 7.2.C. Road Design and Construction: Natural Features).

**Analysis:**

When the 1991 Master Plan was developed, the town recognized the need to protect Moultonborough's natural resources. While some of the goals stated in that plan have been incorporated into the zoning ordinances and subdivision regulations, many have yet to be implemented. Moultonborough does have a Floodplain Ordinance and limits on development on slopes of 25% or greater, the town could have greater protection for aquifers and wetlands. Wellhead protection areas and the ability to allow cluster development or require impact statements are very important tools for the Planning Board to have available.

While a 40,000 sq. ft. lot minimum and limits on coverage by impervious surfaces are beneficial for water quality on a lot by lot basis, these practices can encourage sprawling development and the fragmentation of natural habitats on a municipal or regional basis. One of the most effective single steps that a community can do to protect environmental quality is to require vegetative buffers, which slow the movement of water and allow for filtration. It appears that this is only required of waterfront properties and should be considered for other properties throughout town.

## **Smart Growth Principle 7:**

### ***Involve the community***

*Involve the community in planning and implementation to ensure that development retains and enhances the sense of place, traditions, goals, and values of the local community.*

#### **Summary:**

Regarding community involvement, the Master Plan mentions that enforcement and implementation of regulations is necessary. Residents are encouraged to get involved with the Recreation Department.

#### **Goals and Objectives:**

- Municipal residents should be encouraged, by the Town, to volunteer their time and talents to the Recreation Department (MP VII.C4. Community Facilities).
- If Moultonborough is to be developed in accordance with its regulations, then its municipal regulators must properly implement and strictly enforce all present and future state and local regulations (MP VII.C6. Land Use: Implementation).

#### **Ordinances and Regulations:**

- Not addressed through ordinances and regulations.

#### **Analysis:**

As Moultonborough begins work on updating its Master Plan it is essential to get local input on important places and features in the community. This information should be incorporated into all future development activities. For the 1991 Master Plan a survey of both seasonal and permanent residents was conducted with a total response rate of slightly more than 20%. Planning Board meetings are held regularly, posted, and open to the public. Meeting minutes are posted on the town website. Citizens should be encouraged to stay abreast of regional natural resource, economic, and transportation projects. Due to the large seasonal population, Moultonborough should make special efforts to reach out to this population.

### **Smart Growth Principle 8:**

#### ***Manage growth locally in the New Hampshire tradition, but work with neighboring towns***

*Manage growth locally in the New Hampshire tradition, but work with neighboring towns to achieve common goals and more effectively address common problems.*

#### **Summary:**

Several areas of the Master Plan refer to coordinating efforts with other local, regional, and state entities, including the school system, LRPC, and NH OEP. Topics addressed include transportation, land protection, and development.

#### **Goals and Objectives:**

- It should be town policy to coordinate town population data with the Moultonborough School System, the Lakes Region Planning Commission, N.H. Office of State Planning and the U.S. Census Bureau (MP.VII.C1. Population).
- Support all regional transportation planning efforts and regional transportation systems (MP.VII.C3. Transportation).
- Monitor and carefully regulate proposed development activity along the Route 25 corridor to minimize traffic impacts resulting from future growth (MP.VII.C3. Transportation).
- The town should establish a local land trust or formulate an LCIP Committee, or investigate and enlist the support of state or regional land preservation agencies, to accept and maintain land dedications (MP.VII.C5. Conservation and Preservation).

#### **Ordinances and Regulations:**

- Not addressed through ordinances and regulations.

#### **Analysis:**

Moultonborough has worked with neighboring communities and regional organizations on projects in the past, this should continue into the future. Transportation, natural resources, and economic issues often cross municipal boundaries. The economy of Moultonborough is closely tied to the lakes and forests, the quality of which can be impacted by other communities. The east-west regional transportation corridor (NH Route 25) as well as NH Routes 109 and 171 bring a great deal of traffic through Moultonborough from around the region. It is important that the community work with its neighbors as well as regional agencies to be aware of growth and development activity within the region; as such activity may have very real impacts on Moultonborough.

## **V. Suggestions for a Smart Growth Future for Moultonborough**

The 1991 Master Plan for Moultonborough contains numerous goals and objectives supporting a variety of Smart Growth Principles, especially regarding environmental protection.

Moultonborough's ordinances and regulations are the rules that govern the activities of residents, land owners, developers, and the Planning Board regarding the use of land. These are the tools that the community uses to achieve its goals. Although these documents contain a number of rules encouraging Smart Growth, there also appear to be some regulations and a number of ordinances that discourage Smart Growth Principles.

There are three steps that the town should consider if it wishes to better implement Smart Growth Principles.

Step 1: There are several situations where the Master Plan supports the Smart Growth Principle but there are ordinances or regulations which hinder the implementation of those goals and objectives. The Planning Board should address these inconsistencies through changes to the ordinances or regulations.

Step 2: As the Master Plan Committee updates the 1991 Master Plan, those goals and objectives which have been identified as inconsistent with Smart Growth Principles should be carefully evaluated to determine whether these are things which the town really strives to attain. Any necessary changes should be made during the Master Plan update process.

Step 3: Upon adoption of the new Master Plan, any ordinances and regulations which may work contrary to the new goals and objectives should be updated.

Specific areas to focus on include:

- encouragement of higher density development and preservation of interconnected open space through flexibility of minimum lot requirements and possible expansion of the public sewer service;
- natural resource protection by developing wetland and aquifer overlays;
- encouraging infill development by adjusting commercial lot depth requirements.

Examples of how other communities in New Hampshire have implemented Smart Growth Principles can be found at the NH OEP Smart Growth website  
<http://nh.gov/oep/programs/SmartGrowth/smart-growth/principles.htm>.